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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

Chapter 11

MERCON COFFEE CORPORATION, *et al.*,¹

Case No. 23-11945 (MEW)

Debtors.

Jointly Administered

**NOTICE OF AGENDA OF MATTERS SCHEDULED FOR CONFIRMATION
HEARING ON JUNE 28, 2024 AT 11:00 A.M. (PREVAILING EASTERN TIME)**

PLEASE TAKE NOTICE that a hearing (the “**Confirmation Hearing**”) has been scheduled for June 28, 2024 at 11:00 a.m. (Prevailing Eastern Time) before the Honorable Michael E. Wiles, United States Bankruptcy Judge, United States Bankruptcy Court for the Southern

¹ The Debtors in these chapter 11 cases, along with the last four (4) digits of each Debtor’s federal tax identification number, if applicable, are: Mercon Coffee Corporation (1844); Mercon B.V. (N/A); Mercon Brasil Comércio de Café Ltda. (N/A); Agro International Holding B.V. (N/A); Mercapital de Nicaragua, S.A. (N/A); Distribuidora de Granos de Nicaragua S.A. (N/A); Cisa Export S.A. (N/A); Comercial Internacional de Granos de Honduras, S.A. de C.V. (N/A); Mercon Guatemala, S.A. (N/A); Comercial Internacional Exportadora, S.A. (N/A). The Debtors’ mailing address is: 999 Ponce de Leon Blvd, Suite 910, Coral Gables, FL 33134.

District of New York, Courtroom 617, One Bowling Green, New York, NY 10004 (the “Bankruptcy Court”).

PLEASE TAKE FURTHER NOTICE that the Confirmation Hearing will be conducted in person and through Court Solutions. Interested parties wishing to appear or participate telephonically at the Confirmation Hearing (whether “live” or “listen only”) must schedule an appearance prior to 12:00 p.m. (Prevailing Eastern Time) on June 27, 2024 by using the following link: <https://www.court-solutions.com/>. Instructions for making a telephonic appearance and additional information on the Court’s telephonic procedures can be found at <https://www.nysb.uscourts.gov/sites/default/files/m543.pdf>.

PLEASE TAKE FURTHER NOTICE that copies of each pleading identified below can be viewed and/or obtained by: (i) accessing the Court’s website at www.nysb.uscourts.gov, or (ii) from the Debtors’ notice and claims agent, Kroll Restructuring Administration LLC, at <https://cases.ra.kroll.com/mercon> or by calling (844) 974-4369 (toll free) for U.S. and Canada based parties or +1 (646) 586-9785 for international parties. Note that a PACER password is needed to access documents on the Court’s website.

PLEASE TAKE FURTHER NOTICE that an agenda for the Confirmation Hearing is set forth below.

AGENDA FOR CONFIRMATION HEARING

A. CHAPTER 11 PLAN OF LIQUIDATION

1. *Fourth Amended Joint Chapter 11 Plan Of Liquidation For Mercon Coffee Corporation And Certain Affiliated Debtors* [Doc. No. 514]

Response Deadline: June 20, 2024 at 4:00 p.m. (Prevailing Eastern Time)

Response Received:

- a. *Objection of the United States Trustee to Confirmation of the Joint Chapter 11 Plan of Liquidation for Mercon Coffee Corporation and Certain Affiliated Debtors* [Doc. No. 610]

Related Documents:

- a. *Notice of Filing of Exhibits to the Disclosure Statement and Solicitation Package Materials* [Doc. 492]
- b. *Fourth Amended Disclosure Statement for Fourth Amended Joint Chapter 11 Plan Of Liquidation For Mercon Coffee Corporation And Certain Affiliated Debtors* [Doc. No. 515]
- c. *Notice of Filing Blacklined Fourth Amended Joint Chapter 11 Plan Of Liquidation For Mercon Coffee Corporation And Certain Affiliated Debtors* [Doc. No. 516]

- d. *Notice of Filing Blacklined Fourth Amended Disclosure Statement for Joint Chapter 11 Plan of Liquidation for Mercon Coffee Corporation and Certain Affiliated Debtors* [Doc. No. 517]
- e. *Order (I) Scheduling a Plan Confirmation Hearing, (II) Approving the Disclosure Statement, (III) Establishing Plan Solicitation, Voting and Tabulation Procedures, (IV) Approving Forms of Notices and Ballots, and (V) Granting Related Relief* [Doc. No. 521]
- f. *Memorandum of Law in Support of Confirmation of Debtors' Fourth Amended Joint Chapter 11 Plan Of Liquidation For Mercon Coffee Corporation And Certain Affiliated Debtors* [Doc. No. 588]
- g. *Declaration of Harve Light in Support of Confirmation of Fourth Amended Joint Chapter 11 Plan Of Liquidation For Mercon Coffee Corporation And Certain Affiliated Debtors* [Doc. No. 589]
- h. *Notice of Filing Plan Supplement to the Fourth Amended Joint Chapter 11 Plan Of Liquidation For Mercon Coffee Corporation And Certain Affiliated Debtors* [Doc. No. 599]
- i. *Notice of Filing Second Plan Supplement to the Fourth Amended Joint Chapter 11 Plan Of Liquidation For Mercon Coffee Corporation And Certain Affiliated Debtors* [Doc. No. 607]
- j. *Affidavit Of Service Of Solicitation Materials* [Doc. No. 626]
- k. *Declaration of Stanislav Kesler of Kroll Restructuring Administration LLC Regarding the Solicitation of Votes and Tabulation of Ballots Cast on the Fourth Amended Joint Chapter 11 Plan of Liquidation for Mercon Coffee Corporation and Certain Affiliated Debtors* [Doc. No. 629]
- l. *Certificate of Publication of the Notice of (I) Approval of Disclosure Statement, (II) Establishment of Voting Record Date, (III) Hearing on Confirmation of Plan, (IV) Procedures for Objecting to Confirmation of Plan; and (V) Solicitation, Voting, and Related Procedures for Plan* [Doc. No. 635]
- m. *Supplemental Memorandum of Law in Support of Confirmation of Debtors' Fourth Amended Joint Chapter 11 Plan of Liquidation for Mercon Coffee Corporation and Certain Affiliated Debtors* [Doc. No. 638]
- n. *Supplemental Declaration of Harve Light in Support of Confirmation of Fourth Amended Joint Chapter 11 Plan of Liquidation for Mercon Coffee Corporation and Certain Affiliated Debtors* [Doc. No. 639]

Status: This matter is going forward on a contested basis.

B. CONTESTED MATTER:

2. *Motion of Debtors for Entry of an Order (I) Waiving the Requirement That Each Debtor File a List of Creditors and Authorizing the Debtors To File a Consolidated Master List of Creditors, (II) Authorizing Debtors To File a Consolidated List of the Debtors' Thirty Largest Unsecured Creditors, (III) Authorizing the Debtors To Redact Personally Identifiable Information; (IV) Approving Form and Manner of Notifying Creditors of Commencement of These Chapter 11 Cases, and (V) Granting Related Relief [Doc. No. 3], only as to the Debtors' redaction of personal identifiable information pursuant to 107(c).*

Response Received:

- a. *Objection of the United States Trustee to Motion of Debtors for Entry of an Order (I) Waiving the Requirement That Each Debtor File a List of Creditors and Authorizing the Debtors to File a Consolidated Master List of Creditors, (II) Authorizing Debtors to File a Consolidated List of the Debtors' Thirty Largest Unsecured Creditors, (III) Authorizing the Debtors to Redact Personally Identifiable Information; (IV) Approving Form and Manner of Notifying Creditors of Commencement of These Chapter 11 Cases, and (V) Granting Related Relief [Doc. No. 189]*

Related Documents:

- a. *Order (I) Waiving the Requirement That Each Debtor File a List of Creditors and Authorizing the Debtors To File a Consolidated Master List of Creditors, (II) Authorizing Debtors To File a Consolidated List of the Debtors' Thirty Largest Unsecured Creditors, (III) Authorizing the Debtors (on an Interim Basis) To Redact Personally Identifiable Information; (IV) Approving Form and Manner of Notifying Creditors of Commencement of These Chapter 11 Cases, and (V) Granting Related Relief [Doc. No. 55]*

Status: This matter is going forward. The Debtors are working with the U.S. Trustee to reach a consensual resolution in advance of the Confirmation Hearing.

C. UNCONTESTED MATTERS:

3. *First Interim Fee Application of O'Melveny & Myers LLP for Compensation of Services Rendered and for Reimbursement of Expenses Incurred as Counsel for the Official Committee of Unsecured Creditors for the Period from December 26, 2023 Through March 31, 2024 [Doc. No. 417]*

Response Deadline: June 20, 2024 at 4:00 p.m. (Prevailing Eastern Time)

Response Received: None

Related Documents:

- a. *Notice of Hearing on Applications for Interim Allowance of Compensation and Reimbursement of Expenses on June 28, 2024 at 11:00 a.m.* [Doc. No. 553]
- b. *Certificate of No Objection to First Applications for Interim Allowance of Compensation and Reimbursement of Expenses* [Doc. No. 641]

Status: This matter is going forward.

- 4. *First Interim Fee Application of Ankura Consulting Group, LLC for Compensation for Services Rendered and for Reimbursement of Expenses Incurred as Financial Advisor to The Official Committee of Unsecured Creditors for the Period From December 29, 2023 Through March 31, 2024* [Doc. No. 419]

Response Deadline: June 20, 2024 at 4:00 p.m. (Prevailing Eastern Time)

Response Received: None

Related Documents:

- a. *Notice of Hearing on Applications for Interim Allowance of Compensation and Reimbursement of Expenses on June 28, 2024 at 11:00 a.m.* [Doc. No. 553]
- b. *Certificate of No Objection to First Applications for Interim Allowance of Compensation and Reimbursement of Expenses* [Doc. No. 641]

Status: This matter is going forward.

- 5. *First Interim Fee Application of Kroll Restructuring Administration LLC, as Administrative Advisor to the Debtors, for Services Rendered and Reimbursement of Expenses for the Period From December 6, 2023 Through March 31, 2024* [Doc. No. 485]

Response Deadline: June 20, 2024 at 4:00 p.m. (Prevailing Eastern Time)

Response Received: None

Related Documents:

- a. *Notice of Hearing on Applications for Interim Allowance of Compensation and Reimbursement of Expenses on June 28, 2024 at 11:00 a.m.* [Doc. No. 553]
- b. *Certificate of No Objection to First Applications for Interim Allowance of Compensation and Reimbursement of Expenses* [Doc. No. 641]

Status: This matter is going forward.

6. *First Application of Baker & McKenzie LLP as Attorneys for Debtors for Interim Allowance of Compensation for Professional Services Rendered and Reimbursement of Actual and Necessary Expenses Incurred from December 6, 2023 Through and Including March 31, 2024* [Doc. No. 486]

Response Deadline: June 20, 2024 at 4:00 p.m. (Prevailing Eastern Time)

Response Received: None

Related Documents:

- a. *Notice of Hearing on Applications for Interim Allowance of Compensation and Reimbursement of Expenses on June 28, 2024 at 11:00 a.m.* [Doc. No. 553]
- b. *Notice of Filing Supplement to First Application of Baker & McKenzie LLP as Attorneys for Debtors for Interim Allowance of Compensation for Professional Services Rendered and Reimbursement of Actual and Necessary Expenses Incurred From December 6, 2023 Through and Including March 31, 2024* [Doc. No. 568]
- c. *Certificate of No Objection to First Applications for Interim Allowance of Compensation and Reimbursement of Expenses* [Doc. No. 641]

Status: This matter is going forward.

7. *First Application of Riveron Management Services, LLC as Chief Restructuring Officer, and Additional Personnel to the Debtors for Interim Allowance of Compensation for Professional Services Rendered and Reimbursement of Actual and Necessary Expenses Incurred From December 6, 2023 Through and Including March 31, 2024* [Doc. No. 487]

Response Deadline: June 20, 2024 at 4:00 p.m. (Prevailing Eastern Time)

Response Received: None

Related Documents:

- a. *Notice of Hearing on Applications for Interim Allowance of Compensation and Reimbursement of Expenses on June 28, 2024 at 11:00 a.m.* [Doc. No. 553]
- b. *Certificate of No Objection to First Applications for Interim Allowance of Compensation and Reimbursement of Expenses* [Doc. No. 641]

Status: This matter is going forward.

8. *First Interim Application of Chipman Brown Cicero & Cole, LLP for Compensation for Services Rendered and for Reimbursement of Expenses Incurred as Co-Counsel to the Debtors and Debtors in Possession for the Period From December 13, 2023 Through and Including March 31, 2024* [Doc. No. 495]

Response Deadline: June 20, 2024 at 4:00 p.m. (Prevailing Eastern Time)

Response Received: None

Related Documents:

- a. *Notice of Hearing on Applications for Interim Allowance of Compensation and Reimbursement of Expenses on June 28, 2024 at 11:00 a.m.* [Doc. No. 553]
- b. *Certificate of No Objection to First Applications for Interim Allowance of Compensation and Reimbursement of Expenses* [Doc. No. 641]

Status: This matter is going forward.

9. *Motion of The Marine Policy Underwriters for Relief From the Automatic Stay* [Doc. No. 511] (“**Motion for Stay Relief**”)

Response Deadline: June 14, 2024 at 4:00 p.m. (Prevailing Eastern Time)

Response Received: None

Related Documents:

- a. *Notice of Wespecialty’s Joinder to Motion of the Marine Policy Underwriters for Relief From the Automatic Stay* [Doc. No. 555]
- b. *Notice of Adjournment of Hearing on Motion of the Marine Policy Underwriters for Relief From the Automatic Stay* [Doc. No. 574]
- c. *Notice of Presentment of Stipulation and Order Resolving Motion of the Marine Policy Underwriters for Relief from the Automatic Stay* [Doc. No. 627] (“**Notice of Stipulation and Order**”)

Status: The Marine Policy Underwriters have filed a Notice of Stipulation and Order with the Court. The deadline to object to the Stipulation is June 27, 2024 at 5:00 p.m. If no objections are filed, the Debtors will submit the proposed Stipulation and Order to the Court to be entered.

Dated: June 26, 2024

BAKER & McKENZIE LLP

By: /s/ Reginald Sainvil

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